

105TH CONGRESS
1ST SESSION

H. R. 2321

To amend the Internal Revenue Code of 1986 regarding the treatment of
golf caddies for employment tax purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1997

Mr. BURTON of Indiana (for himself, Mr. FALEOMAVAEGA, Mr. BUYER, Mr. GILCHREST, Mr. BARTLETT of Maryland, Mr. NORWOOD, Mr. BOEHLERT, Mr. KING, Mr. MCHUGH, Mr. KASICH, Mr. SESSIONS, Mr. PACKARD, Mr. CASTLE, Mr. OXLEY, Mr. CLEMENT, Mrs. MORELLA, and Mr. QUINN) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 regarding
the treatment of golf caddies for employment tax purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Caddie Relief Act of
5 1997”.

6 **SEC. 2. TREATMENT OF GOLF CADDIES.**

7 (a) IN GENERAL.—Subsection (a) of section 3508 of
8 the Internal Revenue Code of 1986 (relating to treatment

1 of real estate agents and direct sellers) is amended by
2 striking “qualified real estate agent or as a direct seller”
3 and inserting “qualified real estate agent, direct seller, or
4 caddie”.

5 (b) DEFINITION.—Subsection (b) of section 3508 of
6 such Code is amended by redesignating paragraph (3) as
7 paragraph (4) and by inserting after paragraph (2) the
8 following new paragraph:

9 “(3) CADDIE.—The term ‘caddie’ means an in-
10 dividual who performs the service of carrying golf
11 clubs for, or otherwise assisting, a nonprofessional
12 golfer and, with respect to whom, substantially all
13 the remuneration (whether or not paid in cash) for
14 the performance of such service is—

15 “(A) directly related to performing such
16 services rather than to the number of hours
17 worked, and

18 “(B) paid to such individual directly by the
19 golfer or by a third party as an agent of the
20 golfer where the third party incurs no obliga-
21 tion itself to pay such remuneration.”.

22 (c) CLERICAL AMENDMENTS.—

23 (1) The heading of section 3508 of such Code
24 is amended to read as follows:

1 **“SEC. 3508. TREATMENT OF REAL ESTATE AGENTS, DIRECT**
2 **SELLERS, AND GOLF CADDIES.”.**

3 (2) The item relating to section 3508 in the
4 table of sections for chapter 25 of such Code is
5 amended to read as follows:

“Sec. 3508. Treatment of real estate agents, direct sellers, and
golf caddies.”.

6 (d) **EFFECTIVE DATE.**—The amendments made by
7 this section shall apply to remuneration paid for services
8 performed in taxable years ending after the date of the
9 enactment of this Act.

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